Hon'ble Members of the House. Please listen and you will agree with me. In stead of giving the suggestion to the Government that they may give fresh notice, I am not going to leave the discretion to them because of the importance of the bill, although the member in charge of the bill has got right to drop, which, of course, come later in the next item, drop or not drop, continue or not continue, but I am not going to allow them, under the standing orders to let them to do so. I want the Government to be confined to the position that the consideration will be moved on a particu'ar date as was done in the Madras Assembly when in 1939 this was there. That is it may be decided now. That is my suggestion or a motion that the consideration of this bill be moved at the next meeting, the next earliest meeting, which I believe will not be that side of two months.

Mr. P. Govinda Menon (*Ernakulam*): I second that.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Thank you.

Mr. K. Balakrishna Menon *(Minister for Food and Education)*: I will move it in the next meeting of the Council.

(2) The Cochin Criminal Law (Amendment) Bill.

Mr. P. Govinda Menon *(Ernakulam)*: Before that matter is taken up for consideration I would like to have some information for our guidance for participating in this discussion. The Cochin Criminal Law Amendment Bill is a bill seeking to empower Government with certain extra-ordinary powers. To empower the Ministry with certain extra-ordinary powers (hear-hear). The previous Ministry came before this House with the proposition that on account of cer, tain situation and on account of certain circumstances it is necessary to have these powers. A bill like this is for the purpose of my point almost like a financial Bill. Government may feel that they want money. If they want money they must say that they want money, and move a bill for taxing the people. In the same way if the Government want powers, if the Ministry wants powers, they must say that they want powers and explain to the House that they want those powers and if that statement is made that the Ministry want powers and explain the reasons why they want those powers to the House, the opposition has got two courses to follow. The opposition may either refuse to give those powers to the Ministry (hear, hear) or may keep an open mind and say that they are satisfied with the case put forward and give those powers. In this particular case there has been a very interesting situation.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Rather distressing.

Mr. P. Govinda Menon *(Ernakulam)*: Rather distressing to some people. When the present Ministry was formed there were published reports that one of the conditions under which this Ministry was formed was that the Criminal Law Amendment, Bill will be dropped.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Not only thati Sir, some-thing more.

Mr. P. Govinda Menon *(Ernakulam)*: There were other condit ons which are known well to the Honble Member. It was freely published in the press that one of the conditions under which the Ministry was formed and one of the conditions under which especially my esteemed friend the Honble Minister for Food and Education joined the Ministry was that the Criminal Law Amendment Bill will not be moved. I do not want to mention names. In the Malabar Mail for example which usually gives very intimate details about the Ministry and its actions it was categorically stated that this was one of the conditions upon which the Ministry was formed. I am reminded by my friend on my right that other papers also published that report and these reports went un-contradicted. Influential members associated with the Ministry have openly told me that it is one of the conditions upon which the Ministry was formed. The floor leader of the Ministeralist party Mr. Kumaran Ezhuthassan.....

Mr. P. Kumaran Ezhuthassan *(Vadakancheri)*: No Sir, I take objection to that unwanted, undesirable place being given to me. I am not that. I am only a humble supporter of the Ministry as it stands to-day.

Mr. P. Govinda Menon *(Ernakulam)*: Unless the Ministry tells us what their position is, whether the Ministry wants this bill and whether the party which has installed this Ministry in office — and I understand that almost all the members of the House excluding the Prajamandal Party and the Socialist Party are supporting this Ministry — wants this bill, if for example the Ministry does not want this and if the persons who treat this Ministry as their Ministry do not want this bill, we are not going to vote for the bill. On the other hand if they say, they want the bill, and explain the circumstances under which they want this bill we keep an open mind and are prepared to vote according to it. One more point, Sir, I understand that Mr. Balakrishna Menon while in the opposition and I understand my esteemed friend Mr. Lonappen

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as well, were opposing this bill. It was for these reasons that I wanted to know where we are. We do not want to give powers to the Ministry which they do not want. We do not want to give powers to the ministry which the supporters of the Ministry do not want and I would especially wish to hear the Hon'ble Minister for Food and Education on this matter.

Mr. K. Balakrishna Menon *(Minister for Food and Education):* I may for the purpose of my Hon'ble friend make a statement that the statement which he was making that I had given expression of my views on the bill is not correct. I had not had the occasion, Sir.

Mr, Parambi Lonappen *(Minister for Revenue):* Nor had I.

Mr. P. Govinda Menon *(Ernakulam):* The question is straight. Do you want this bill and do you support this bill. This is the question to the Hon'ble Minister for Food and Education.

Mr. K. Balakrishna Menon *(Minister for Food and Education):* I hold that I have got the privilege not to be cross:examined on the floor of this House, If I want to make a statement I will make a statement and I have done that with your kind permission, Sir.

Mr. P. Govinda Menon *(Ernakulam):* I am particularly stressing this point because yeterday the Hon'ble Minister for Food and Education expressly made a statement that whatever be the company in which he is placed he still keeps his individuality .....

Mr. P. Kumarn Ezhuthasssn *(Vadakkancheri):* He does and he will.

Mr. P. Govinda Menon *(Ernakulam):* That he keeps his individualtiy and he may resign on certain points. If that is the position I am not going.....

Mr. K. Balakrishna Menon *(Minister for Food and Education):* I cannot be provoked in this manner by you, Mr. Govinda Menon, I know the game which you are playing and the people of Cochin also know (hear. hear) I know what makes you say so and there is no better person to assess it. I may say that it is only proper for you to bide your time and not be over-anxious.

Mr. P. Govinda Menon *(Ernakulam):* Because I want to guide the opposition.

* റാവുബഹദൂർ ടി. കെ. നായർ: സർ, ഇന്നത്തെ മന്ത്രിസഭയുടെ രൂപീകരണകാര്യത്തിൽ യാതൊരു രഹസ്യവുമില്ല. ഇതു കൊച്ചീരാജ്യത്തു എല്ലാവർക്കും അറിയാവുന്ന സംഗതിയാണു". (ഹിയർ, ഹിയർ.) ക്രിമിനൽ ലാ അമൻഡുമെൻഡു ആക്ട് ഇവിടത്തെ സ്റ്റാറ്റ്യൂട്ടുബുക്കിൽ ചേർത്തശേഷം അതു പൊതുജനസമ്മതിക്കുവേണ്ടി നിയമസഭയിൽ കൊണ്ടുവന്നതും അതിന്റെ ഡിസ്കഷൻ നടന്നുകൊണ്ടിരിക്കുന്നതിന്നിടയിൽ അന്നത്തെ മന്ത്രിസഭ രാജിവച്ചതും അതിന്നുശേഷം വേറൊരു മന്ത്രിസഭ രൂപീകരിച്ചതും മറ്റും ഇവിടെയുള്ള സകല ആളുകൾക്കും അറിയാം. അന്നു ഓപ്പോസിഷനിൽ ഇരുന്നിരുന്ന ആളുകളിൽ ഭൂരിപക്ഷവും, ഇന്നത്തെ മന്ത്രിസഭയിലുണ്ടു്. ഈ ക്രിമിനൽ ലാ അമൻഡുമെൻഡു ബിൽ നിയമസഭയിൽ വാദപ്രതിവാദത്തിന്നു വന്ന അവസരത്തിൽ, ഇന്നു ഓപ്പോസിഷനിൽ ഇരിക്കുന്ന എന്റെ മാന്യസ്നേഹിതന്മാരും ഞാനുംകൂടി ഇവിടെ ഇരിക്കുന്ന അവസരത്തിൽ, ഇന്നത്തെ മന്ത്രികക്ഷിയിലെ പല അംഗങ്ങളും ഈ ബില്ലിനെ സംബന്ധിച്ചു പല തീരുമാനങ്ങളും എടുക്കുകയും, ചിലർ തുറന്നതന്നെ മറുഭാഗത്തുനിന്നു ഇതിനെ എതിർക്കുകയും ചെയ്തു. അങ്ങിനെയുള്ള ഘട്ടത്തിൽ നിർഭാഗ്യവശാൽ ഈ മന്ത്രിസഭ രൂപീകരിച്ചു. ക്രിമിനൽ ലാ അമൻഡുമെൻഡു ബില്ലു് ഏതു സ്ഥാനത്തുവച്ചാണോ നിത്തിയിട്ടുള്ളതു ആ സ്ഥാനത്തുനിന്നു ഇപ്പോൾ വാദപ്രതിവാദം തുടരുകയും ചെയ്യുന്നു. ഇതിന്റെ ചുമതല ഏല്പിക്കപ്പെട്ടതായും വന്നു. ഇതാണു് ഇന്നത്തെ പൊസിഷൻ. അങ്ങേപ്പുറത്തു ഇരുന്ന ആളുകൾ, അവരുടെ അഭിപ്രായം അങ്ങേപ്പുറത്തു വച്ചു പറഞ്ഞതു", ഇങ്ങേപ്പുറത്തു വന്ന ഉടനെ മാറ്റിച്ചു, ഈ വിഷയത്തിൽ മിനിസ്റ്ററിയോടു യോജിപ്പിച്ചു", എല്ലാവരേയും ഒരു ചരടിൽ നിറുത്തണമെന്നു മിസ്റ്റർ പനമ്പിള്ളി ഗോവിന്ദമേനോൻ പറഞ്ഞ ആ കാര്യമായ സ്ഥിതിയിലേക്കു എത്തിക്കുവാൻ എനിക്കു സാധിച്ചിട്ടില്ലെന്നു" ഈ നിയമസഭയുടെ മുമ്പാകെ തുറന്നു പറഞ്ഞുകൊള്ളുന്നു. അതുകൊണ്ടു" ഈ ബിൽ കഴിഞ്ഞ നിയമസഭയിൽ ഏതു സ്ഥാനത്താണോ വിട്ടതു ആ സ്ഥാനത്തുനിന്നു" ഇന്നു തുടർന്നുപോകുന്നതാണു". ഈ ബിൽ വേണമെന്നോ, വേണ്ടന്നോ പറയുവാനുള്ള അധികാരം ഈ നിയമസഭയ്ക്കുണ്ടു". ഈ നിയമസഭയുടെ വാദപ്രതിവാദത്തിന്നു വിടുകയെന്നുള്ളതല്ലാതെ വേറൊരു പോംവഴിയും ഞാൻ കാണുന്നില്ല. അതുകൊണ്ടു മന്ത്രികക്ഷിയിലുള്ളവർക്കു" ഇതിനെ സംബന്ധിച്ചു മുമ്പു ഏതഭിപ്രായമാണോ ഉണ്ടായിരുന്നതു", ആ അഭിപ്രായം ഈ ബില്ലിനെ സംബന്ധിച്ചിടത്തോളം തുറന്നുപറയാനും, അതനുസരിച്ചു വോട്ടുചെയ്യാനുമുള്ള അധികാരം അവർക്കു കൊടുത്തിട്ടുണ്ടു".

*Speech not corrected by the Hon'ble Member.

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മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ; ഞാൻ പറഞ്ഞതു മനസ്സിലാക്കിയിട്ടില്ലെന്നതോന്നുന്നു. ഇതു സാധാരണതരത്തിലുള്ള ഒരു ബില്ലല്ല. ഇതു് ചൈയിൽഡ് മാരേജ് റസ്ട്രെയിൻഡ് ആക്ട് പോലെയുള്ളതോ, നായർ റഗുലേഷൻ പോലെയുള്ളതോ ആയ ഒരു ബിൽ അല്ല. ഇതു് ഓപ്പോസിഷനു് ആവശ്യമുള്ള ഒരു ബിൽ അല്ല. ഗവമ്മെണ്ടിനു് അധികാരം വേണമോ, വേണ്ടയോ എന്നു ഖണ്ഡിതമായി പറയേണ്ടതു ഗവമ്മെണ്ടാണു്. അല്ലാതെ ആ അഭിപ്രായം നിയമസഭയ്ക്കു വിട്ടുകൊടുക്കുകയല്ലാ വേണ്ടതു്. ഗവമ്മെണ്ടിനു് അധികാരം വേണമെങ്കിൽ ഗവമ്മെണ്ടു പറയണം. That is the first stage and Government mean the ministers. Now the ministers are installed in office by a certain party. They must say that to carry on the administration they want this bill. If they do not say that, it is not for the opposition to make a bill and invest powers, to make a law and invest the ministry with powers.

റാവുബഹദൂർ ടി. കെ. നായർ: എന്റെ മാന്യസ്നേഹിതൻ മിസ്റ്റർ ഗോവിന്ദമേനോൻ പറഞ്ഞതു് എന്താണെന്നു മനസ്സിലാക്കീട്ടതന്നെയാണു ഞാൻ മറുപടി പറഞ്ഞതു്.

മിസ്റ്റർ കെ. അയ്യപ്പൻ; ഇന്നത്തെ പരിതഃസ്ഥിതിയിൽ ഗവമ്മെണ്ടിന്റെ അഭിപ്രായം മാറിക്കൂടായെന്നില്ലല്ലോ? അവരവരുടെ അഭിപ്രായം രൂപീകരിക്കാനുള്ള അധികാരം അവരവക്കില്ലേ?

റാവുബഹദൂർ ടി. കെ. നായർ: ഞങ്ങളുടെ അഭിപ്രായം തുറന്നുപറയാനുള്ള സ്വാതന്ത്ര്യം ഞങ്ങൾക്കില്ലല്ലോ.

*മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ: ഗവമ്മെണ്ടിനു് അധികാരം വേണോ, വേണ്ടയോ, എന്നുള്ള കാര്യം ഗവമ്മെണ്ടു തുറന്നുപറയണം. ഗവമ്മെണ്ടിന്റെ ആവശ്യത്തിനുവേണ്ടിയുള്ള ബില്ലു ഗവമ്മെണ്ടാണു കൊണ്ടുവരേണ്ടതു്. ഓപ്പോസിഷനല്ല ഗവമ്മെണ്ടിനു് അധികാരം കൊടുക്കുന്ന ബില്ലു കൊണ്ടുവരേണ്ടതു്. ഇതിനുമുമ്പു ഗവമ്മെണ്ടിനു പണം ആവശ്യമായിവന്നപ്പോൾ ഇവിടെ അഗ്രികൾച്ചറൽ ഇങ്കംടാക്സ് ബിൽ കൊണ്ടുവന്നു. അതുപോലെ ഇപ്പോഴും ഗവമ്മെണ്ടിനു അധികാരം വേണമെന്നു പറയുകയാണെങ്കിൽ ഓപ്പോസിഷൻ ഇതിനെ സപ്പോർട്ടു ചെയ്യേണ്ട കാര്യത്തെപ്പറ്റി ആലോചിക്കാം. ഇന്നു അഡ്മിനിസ്ട്രേഷൻ നടത്തിക്കൊണ്ടുപോകുന്നതിനു സ്പെഷൽ പവർ വേണമെന്നു ഇന്നത്തെ മിനിസ്റ്റർ പറയട്ടേ. അപ്പോൾ അതു വേണമോ വേണ്ടയോ എന്നുള്ളതിനെപ്പറ്റി ആലോചിക്കാം. ഇപ്പോഴത്തെ പരിതഃസ്ഥിതി ഏതുതരത്തിലുള്ളതാണെന്നു് എനിയ്ക്കു നിശ്ചയമില്ല. ഇന്നത്തെ പരിതഃസ്ഥിതിയെ സംബന്ധിച്ച പോലിസ് കമ്മീഷണരുടെ റിപ്പോർട്ടോ, ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ടിന്റെ റിപ്പോർട്ടോ അല്ലെങ്കിൽ അതുപോലെ പൊതുകാര്യങ്ങളെ സംബന്ധിക്കുന്ന മറ്റു വിവരങ്ങളോ ഇന്നു എന്റെ അടുക്കലില്ല. അതുകൊണ്ടു ഇന്നത്തെ അഡ്മിനിസ്ട്രേഷൻ നടത്തിക്കൊണ്ടുപോകുന്നതിനു സ്പെഷ്യൽ പവർ വേണമെങ്കിൽ, അതു വേണമെന്നു പറയണം. അതിനു ശേഷമേ ഈ ബിൽ വേണമോ വേണ്ടയോ എന്നു നിശ്ചയിക്കാൻ നിവൃത്തിയുള്ളൂ; ഇതു നല്ലതോ ചീത്തയോ എന്നു വാദപ്രതിവാദം തുടരാൻ നിവൃത്തിയുള്ളൂ.

Government must categorically state before this House that they want these powers; if they do not state that, we will consider it as a trick, a trap, for the opposition and the opposition is not going to walk into that trap.

റാവുബഹദൂർ ടി. കെ. നായർ: ഞാൻ എല്ലാവക്കും മനസ്സിലാക്കാവുന്ന തരത്തിൽ ഇതിനേപ്പറ്റിയുള്ള വിവരങ്ങളും ഇവിടെ പറഞ്ഞുകഴിഞ്ഞു.

Mr. P. Govinda Menon (*Ernakulam*): Will the leader of the House say whether he wants these powers.

റാവുബഹദൂർ ടി. കെ. നായർ: ഇതിനെ സംബന്ധിച്ചുള്ള പരമാർത്ഥം എന്താണെന്നു ഞാൻ ഇവിടെ പറഞ്ഞുകഴിഞ്ഞു. ഇതിനുമുമ്പു് ഈ ബില്ലിനെ ഒപ്പോസുചെയ്ത ചില മെമ്പന്മാർ എന്റെ പാർട്ടിയിൽ വന്നു പോയി. അവർക്കു് ഇതിനേസംബന്ധിച്ചുള്ള അഭിപ്രായം തുറന്നുപറയാനുള്ള അവകാശം കൊടുത്തിട്ടുണ്ടു്.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: സ്ഥിതിഗതികൾ മാറിയശേഷം ഈ ബിൽ വേണമെന്നു ഗവമ്മെണ്ടുഭാഗത്തുള്ള എല്ലാ മെമ്പന്മാരും ആവശ്യപ്പെട്ടിട്ടുണ്ടോ?

*Speech not corrected by the Hon'ble Member.

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റാവുബഹദൂർ ടി. കെ. നായർ: മന്ത്രികക്ഷിയിലെ മിക്ക മെമ്പർമാരും ഇതിനെ അനുകൂലിക്കുന്നുണ്ട്. അതുകൊണ്ടാണല്ലൊ ഈ ബിൽ ഇവിടെ കൊണ്ടുവന്നതു്.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: ഭൂരിപക്ഷത്തിനു സമ്മതമില്ലെങ്കിൽ ഇങ്ങിനെയുള്ള കാര്യങ്ങളിൽ അല്പപക്ഷക്കാർ ഭൂരിപക്ഷത്തിനു വഴിപ്പെടണം.

റാവുബഹദൂർ ടി. കെ. നായർ: അതു വളരെ നന്നായി!

Mr. P. Govinda Menon *(Ernakulam)*: Will a direct answer be made? Does the Ministry want the Bill?

Rao Bahadur T. K. Nayar *(Prime Minister)*: Yes.

Mr. P. Govinda Menon *(Ernakulam)*: Then claim our support.

റാവുബഹദൂർ ടി. കെ. നായർ: അതല്ലെ ഞാൻ പറഞ്ഞതു്. (ചിരി)

മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ: നിങ്ങൾ നിങ്ങളുടെ നിസ്സഹായാവസ്ഥയെ കുറിച്ചു വിലപിക്കരുതു്.

റാവുബഹദൂർ ടി. കെ. നായർ: ഇന്നത്തെ നിസ്സഹായാവസ്ഥയെക്കുറിച്ചു് നിങ്ങളോടു തുറന്നുപറയുന്നതിൽ ലേശം നാണമില്ലാത്തവനാണു് ഞാനെന്നു് എന്റെ മാന്യസ്നേഹിതന്മാർക്കു് അറിഞ്ഞുകൂടെ? എന്റെ നിസ്സഹായാവസ്ഥ എന്റെ മാന്യസ്നേഹിതന്മാരോടു തുറന്നുപറയുകയല്ലാതെ ഞാൻ ആരോടു പറയും?

മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ: ഗവണ്മെണ്ടിനു് ഈ നിയമം വേണമെങ്കിൽ അതു ഓപ്പോസിഷനോടു പറയുക.

റാവുബഹദൂർ ടി. കെ. നായർ: ഇതിന്റെ നില ഇവിടെ വ്യക്തമായിക്കഴിഞ്ഞു.

Mr. P. Govinda Menon *(Ernakulam)*: We have not installed you in office. You have been installed in office by 25 persons referred to by the Hon'ble Minister for Revenue yesterday.

റാവുബഹദൂർ ടി. കെ. നായർ: കക്ഷികൾ ഉണ്ടാക്കി അതു നടത്തി പരിചയമുള്ള ഓപ്പോസിഷൻലീഡർക്കറിയാം കക്ഷികളിൽ ചിലർക്കു് അഭിപ്രായവ്യത്യാസമുള്ള കാര്യങ്ങളിൽ അവരുടെ ഇഷ്ടംപോലെ വോട്ടുചെയ്യുവാനുള്ള അധികാരം അവർക്കുണ്ടു് എന്നുള്ളതു്.

മിസ്റ്റർ പി. കെ. ഡിവർ: അവരുടെ അഭിപ്രായം അറിയുന്നതിനു് അവർക്കു ഒരു അവസരം കൊടുക്കണം.

റാവുബഹദൂർ ടി. കെ. നായർ: ഈ പരിതഃസ്ഥിതിയിൽ എനിക്കു് ഇത്രയെ നടത്തുവാൻ നിവൃത്തിയുള്ളൂ. ഓരോരുത്തരുടേയും ജാതകവശാലുള്ള ഏഴരശ്ശനിയുടെ കാലത്തു് ഞാൻ ഈ കഷ്ടസ്ഥിതിയിൽ വന്നുപെട്ടു. ഇതെല്ലാം എല്ലാവർക്കും അറിയാം. ആ സ്ഥിതിക്കു ഗവണ്മെണ്ടിന്റെ നില അറിയുവാൻ ഓപ്പോസിഷൻ ശ്രമിക്കുന്നതു സാഹസമാണു്. ഇന്നത്തെ ഗവണ്മെണ്ടിന്റെ സ്ഥിതി എല്ലാവർക്കും അറിയാം. ഓരോരുത്തർക്കും അവരുടെ അഭിപ്രായം പറയാം.

മിസ്റ്റർ പി. കെ. ഡിവർ: ഇന്നു അധികാരത്തിൽ ഇരിക്കുന്നവരിൽ പലരും ഇതുപോലെയുള്ള അധികാരം വെച്ചുകൊണ്ടു ഭരണം നടത്തുന്നതു് ജനങ്ങളുടെ സ്വാതന്ത്ര്യത്തെ ഹനിക്കുകയാണു്. ഈ നിയമം വേണമെന്നു പറയുന്നവർ അധികാരത്തിൽ ഇരിക്കുവാൻ പാടില്ല എന്നു പറഞ്ഞിട്ടുണ്ടു്. അവർക്കു് ഈമാതിരിയുള്ള പ്രത്യേകാധികാരം കൂടാതെ ഭരണം നടത്തിക്കൊണ്ടു പോകുവാൻ സാധിക്കുമൊ എന്നാണു് അറിയേണ്ടതു്.

Mr. President: Order. The Opposition has put a proposition before the Ministry and the Ministry had its say. The Opposition may draw its own conclusions.

Mr. P. Govinda Menon *(Ernakulam)*: Only the Prime Minister had his say. The other Ministers who ought to say refused to be involved in the discussion.

Mr. President: The Prime Minister has explained the position and he spoke on behalf of all the ministers.

Mr. P. Govinda Menon *(Ernakulam)*: Even he does not make that claim.

Mr. President: Order. The Opposition has had ample opportunity to hear what has been expressed from the other side and the opposition may draw its own conclusions. The House takes up the Bill. Mr. P. Kumaran Ezhuthassan can continue his speech. He has spoken in three meetings already and if I remember correctly he came to the conclusion that he will require only 20 minutes more.

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* **Mr. P. Kumaran Ezhuthassan** *(Vadakkancherri)*: Mr. President, I am much obliged to the beautiful way in which I have been introduced to this Council in the context of this Bill by the Hon'ble Chair. But one correction, I believe, is necessary to be made. I did not at any time say, Sir, with due respect to you that I may require 20 minutes more only. The correct number of digit is 5 followed by zero. That is fifty minutes. That was stated, Sir in the context of that Bill. As the context changed the duration of time may have to be prolonged or reduced. We are to-day in such a context. I do not in a moment say whether I will be satisfied with 50 minutes or whether I may require more.

Mr. President: That question may be settled as we go on.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Anyhow that will come in its proper time. Now, Sir, once more to continue my speech—I do not like that word, I do not call it a speech—to continue my observations of the Bill.....

Mr. President: Neverthless it is a speech.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: No, Sir, they are my utterances not speechecs because it is far far shorter. The standards of a speech has not been reached by me yet and I do not hope to be able to reach it.

Mr. President: Yes, the Bill

Mr. P. Kumaran Ezhuthassan *(Vadakkacheri)*: Yes, Sir the Bill. Now Sir, I am directed to continue my observations and I am glad Sir that I got the opportunity to make my observations after what has taken place here, after question hour or rather after the earlier item was disposed of. There was light, there was thunder, there was rain too, though it was not falling and naturally, therefore, Sir, I am in an atmosphere which follows lightening, ferocious thunder, noisy but beautiful. Men are giving the rain, the atmosphere following is calm, enjoyable and lovable.

Mr. President: You mean the calm after a storm.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I must put it Sir only in the way in which I have put it. It may be a calm after the storm. but I never saw the signs of a storm here, but I saw all these things, all these phenomenon which nature profusely gives us when nature is minded that way. That is all.

Mr. President: Yes, the Bill.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Yes Sir, the Bill. On the last three occasions I was on my legs in little spurs of time caused by interjections and interventions, un-noticed things in the Agenda, I got 3 spurs of time to make my observations upon this most unwanted, mischievous, undemocratic piece of leglslation.

Mr. P. Govinda Menon *(Ernakulam)*: Your Ministry wants it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I expect, Sir, greater decorum from a parliamentarian of this State and standing of my esteemed friend the leader of the opposition. I submit, Sir, that I will not be controlled in this House by anybody other than the second seat in the realm not by anybody else, however clever they may be at interjections and in various other fields.

Mr. Ptesident: Please don't disturb the Hon'ble Member.

Mr. P. Kumran Ezuthassan *(Vadakkancheri)*: I will stand it, Sir, if you will allow me. Now, Sir, I was saying that I got three spurs of time on 3 days during 2 meetings of the Council. I was called upon, Sir, rather I called upon myself to get up in my seat, on 28th of Karkadagam corresponding to 13th of August—a unhappy day, 13th you know—that was the first occasion on which I got up on my legs to make my observations. I got into time on that day. I did what I could do though most of the benches were empty both on the Ministerialist side and.....

Mr. President: Will the Hon'ble Member please refrain from all those irrelevant observations and go through with the Bill.

Mr P. Kumaran Ezuthassan *(Vadakkancheri)*: I crave, Sir, that I may be given to phrase my phrases as I like. Finding myself within parliamentary limits my direction to be left to me. The other things connected with observations also may kindly be left to me is an imploring that I make before the Chair. I hope I stand with your consent.

Now, Sir, to the Bill. I submit, Sir, that on that day I did that much. When at the Kanni Session I was called upon as I am now called upon to continue my speech, I got a little slice of time on the 1st day. The clock stood in the way of proceeding further and the next day interjection of a Bill, not a financial Bill but a Bill which has got the touches of a finance Bill which has been introduced even by the Leader of the Opposition with his parliamentary knowledge I submit, Sir, I could not continue my speech on the next day because other Bills

*Speach not corrected by the Hon'ble Member.

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were interposed without notice which, of course, this House in its tolerance to the Government of those days accepted, allowed to be interposed. So one day was lost. The next day, Sir, perhaps by my over-enthusiasm or my sense of duty I could not get the full time which otherwise I would have got because after making the observations for about 12 minutes I was called to order and I was asked to change the subject of my talk and go on to the adjournment motion on the stupid way in which the rationing of cloth was going on in those days. Thus, Sir, I did get three spurs of time but I was not able to do much.

Mr. President: After about quarter of an hour the Hon'ble member has not come to the Bill. I am sorry to make this remark but the precious time of this House is wasted by remarks which have nothing to do with the provisions of the Bill. We are discussing principles underlying a very important legisaltive measure and I think that the time of the House should not be wasted.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am really sorry, Sir, that I am considered to be wasting the time of the House. Unless it is sought to be a ruling I take exception to that.

Mr. President: It is only a remark from the Chair and not a ruling.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Even for a speedy second, Sir, I consider that these remarks are quite relevant to the subject in hand, the magnanimity or the greatness of it.

Mr. President: You may have that personal opinion. But the Chair is of a different opinion. The Hon'ble Member may continue the speech.

Mr. P. Kumaran Ezhuhtassan *(Vadakkancheri):* I do continue, Sir. If I am not interrupted by any quarter, high and low, I will be able to go on but for those interjections from any corner must certainly take me out of track.

Mr. President: The Hon'ble Membera will not be disturbing.

Mr. P. Kumaran Ezhauthassan *(Vadakkancheri):* I am glad that I will not be disturbed by anybody and I am thankful.

Now during those minutes divided into 3 days, Sir, I took the House through the various clauses of this unwanted measure not a seriatim but divided into appropriate chapters though all the 22 sections are put in an omnibus fashion, I did that then. Then I said this Bill has also as its predecessor the Proclamation Act XVIII of 1122 promulgated under the prerogative rights of His Highness the Maharaja on the 28th day of Edavam 1122, that date is important, Sir. I refer to the reactions of the enlightened public of Cochin both in regard to this promulgated Act referred to by me as also the next democratic procedure that no democratic form of Government could do, namely, to place the provisions of this Bill before this House to ascertain whether the House, the representatives of the people for whom alone this promulgated Act or the Bill is wanted and for nobody else is wanted. The next democratice procedure was adopted and it was in this context that I was speaking and I just said how the Public of Cochin had taken it. I refer to the measurings recorded by the 3 known barometers by which public opinion is generally understood. The foruth estate, the press of the State which in this country one can be proud is being had in plenty though all of them are not of a type. They expressed, Sir, the press of the State in Cochin the best barometer by which public opinion can be ascertained in expressed unmistakable terms that this is a measure which is an insult to the intelligentia of Cochin and the standard of Education of Cochinites to the progressive administration or at least the progressive ruler who is at the helm of affairs as a constitutional monarch. It was said in so unmistakable terms. In short it is a slur upon the otherwise good, right and glorious name of little Cochin, though little she be. Now the other barometer recorded also similar findings. Every known association in the State, whether it be a much condemned Communists—not that I condemn nor that I praise that—I appraise as they deserve—they recorded their findings. The Prajamandal, Sir, which claims to be the representatives of the figure of the population as per 1941 census nearly 14½ lakhs but people have been borne subsequently—death being less than births. They expressed their opinion. The expression of their opinion, Sir, did—I know for a fact which will not be contradicted—even go to the length of creating unhappy situations which the cleverness of the powers at the top very cleverly avoided. That institution recorded its finding and several other associations or organisations, in unmistakable language recorded their findings or condemnation of the strongest type against this unwanted measure. Now, Sir, although I said the press is the first and the best barometer of recording the opinion of the public equally important if not more Sir, is the platform of the State. I then stated that the platforms also had recorded their findings, most emphatically, Sir, and also pointed out one of the deliberate

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expression that was used at one of the platforms immediately preceding the Kanni meeting that this bill should be buried. "ആരിനെങ്കിലും ഒരഭിപ്രായം കഴിച്ചുകൂടണം" is the sentence in Malayalam uttered by one bold speaker who addressed a mammoth meeting whose number, I took last time was about 5 to 6 thousand. Then what took place during the last session. Although the sentence was stated from the platform that the bill must be buried, did we not actually see, Sir, before this sacred House in its 23rd year of its existence the physical burial of this most monstrous bill, thereon the sacred foot steps of this House which necessitated the adjournment of this House for well nigh 45 minutes, if I remember right and what are the consequences. What are the repurcussions that followed, from that incident. The incidents that followed from that date namely the 27th of Kanni are fresh in the minds of the Public of Cochin. Some quarters have taken fright at the repurcussions following that physical burial of this monstrous bill. Some others took glee at these things. Some others took up a neutral attitude and yet others took up neither the one nor the other. Now, Sir, that is the sort of monster that was placed here on the 13th of August, that has continued to frighten this House during all these days and still is here to frighten us. It is in the context, Sir, that a very hot parlly passed between the Leader of the Opposition and the Leader of the House to which others were attempted to be inveigled. By the cleverness and according to their standards stand where they are. Now, Sir, it has been stated that this Bill which I characterised the other day as an epitome of all repressive laws throughout the world, I will substantiate that statement of mine if it is questioned by anybody, an epitome of all repressive laws throughout the world. That is the 22 clauses that you have in the shape of this omnibus printed sheets of paper. I submit, Sir, in answer to a query, according to me, very pointedly and deliberately made by the ever vigilent Leader of the Opposition, my esteemed friend Mr. Govinda Menon. The answer was categorically given. The Statement was made, Sir, that the Government of the day does want this Bill. It was not denied that the Ministry was forced on the understanding that the Bill will be withdrawn.

Mr. P. Govinda Menon *(Ernakulam)*: My categorical statement when the present Ministry was formed was on the definite understanding that this Bill will be withdrawn. I made that statement and it stands uncontradicted.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I was submitting, Sir, that a categorical statement was made by the Leader of the House, the Premier of the State that for carrying on the administration of the law-abiding citizens of Cochin, this monstrous, undemocratic piece of legislation which is not their child, but a legacy, not at all a covetable one, but a most tantalizing one was necessary.

I was submitting, Sir, that it was stated by the Leader of the House that this piece of legislation is required for carrying on the administration.

Mr. P. K. Dewer *(Nominated)*. No, Sir, he did not say that.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Let him deny it. Now I do assert that he said that. Yes, when such bold statements and assertions are made by a member who is a supporter of the Ministry of the day and it is not denied, it comes to a tacit consent of the correctness of the statement that I am deliberately making. It has been stated, Sir, that it is wanted, with a proviso namely that the.....

Mr. P. Govinda Menon *(Ernakulam)*: Are you a supporter of the Ministry?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Well, information will be passed on to you through convenient arrangements if I am minded that way and if you are anxious to know it. I mean what I say. I shall not preach one way and act another way. That is not my fortem. My fortem is to preach what I can practice and I do so, Sir. I am a supporter of the Ministry of the day. I may even take a legitimate pride in it. If it will not amount to boasting, I am one of the persons who is responsible to see that the unwanted undemocratic resignation of the 4th Thulam does not take place.

Mr. President: Order. That has no relevancy to the Bill.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Yes, Sir, I was answering to a query: Now, Sir, although I am not allowed to continue in that strain, my sentence though incomplete is understood and I do assert, Sir, that I take legitimate pride that I was one of the few persons whose strenuous efforts alone saved a crisis of the day, which of course has saved the crisis for all time.

Now, Sir, I was submitting that the categorical statement was made that for running the administration of the day this measure monstrous in nature undemocratic in form and as I

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described earlier an epitome of all repressive laws is wanted. The only proviso, Sir, is that in supporting or when it comes to counting of votes if that could not be avoided some members who are the supporters of the Ministry who are even members of the Ministry who for any reason out of conviction or anything else want to oppose the Bill in speech and act.

The House rose for lunch at 1-30 p.m. and reassembled at 2-30 p.m. with the Hon'ble President in the Chair.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)* : Mr. President, I was submitting, Sir, that the Government of the day had stated that for carrying on the administration of Cochin and for the maintenance of law and order and for public safety—I am only using some of the words contained in the Bill—this measure is needed on the Statute Book with a proviso which I referred to and it is under that proviso, Sir, that I am allowed to continue my observations for which I am thankful to whomsoever I should be thankful. I submit, Sir, that the Government of the day would have done better, would have acted wisely or rather reacted to the public feeling in the country on this measure as unmistakably shown in the three ways in which I referred to this morning. But it is a pity, Sir, that the Ministry of the day could not take courage into their hands and boldly proclaim as they are wanted to do by the public that this tantalising legacy left to it by its predecessor cabinet is not wanted. They should have said that the laws of Cochin in the Statute books thereof are sufficient, the arm of the law is sufficiently long to embrace all human activities which has got a tendency to disturb the tranquility of the State. It is a pity, It is a very very unpardonable pity that they have not been able to do it. I pity them, I pity them.

Well, Sir, the promulgation of the Act in a context that existed in the 2nd or rather in the 1st half of Edavam 1122—I am referring to that unhappy affair at Anthikad, which affair was there for months after months without the Cabinet of that day caring to do the thing at the time, allowing to develop from bad to worse and from worse to a greater degree by not even caring more especially the Minister in charge of Labour in those days caring even to pay a visit to that God-forbidden place of Cochin. Perhaps he thought like Sugreeva who thought that if Bali should tread into the heights of Risyamookachalam his head would go away. The head of the Minister for labour would not have been on his shoulders if he had the courage, if he had the wisdom, or the good-sense, if he had the consideration for the suffering humanity to the extent not to the number of yesterday's Adjournment motion, but of a higher number. If only he had visited the place in time even that promulgated Act would have been found unnecessary but that was not to be. If necessity existed, Sir, for the promulgation of that Proclamation Act on the day on which it was proclaimed and promulgated, I ask the question whether that necessity exists today. The Objects and Reasons accompanying the Bill says—it is very helpful to my present purpose—it says to meet effectively with the situation as it developed in Anthikad and with a view to maintain peace and order, it became necessary to promulgate..... I ask the question to the Ministry of the day to the Premier especially who seems to be in charge of the administration of the non-transferred Criminal Law, which ought to have been transferred, I ask him this question seriously whether the situation in Anthikad remains the same as it was allowed to be developed in the days of the first half of Edavam. He dare not answer that it is so. It has improved and the necessity has gone. Now I ask the question, where is the necessity for the retention of the promulgated Act which after all is a promulgated Act under the prerogative rights necessarily or otherwise vested and retained by the Ruler which ought to have left that source long ago. Does the situation at Anthikad warrant the continuance of this measure I ask. The answer can only be one of "No". I hope an affirmative answer to my query will not be even attempted by the other side because if attempted it will be the most condemnable attempt. Now, Sir, I have no quarrel with the Ministry of Karkadagam for having placed this Bill before the House because it was the best democratic thing to do. Granting that for the purpose of argument not that I grant it. My convictions are the other way. Granting that there was the necessity on the 20th Edavam 1122 for the promulgation of that proclamation. Then the next best thing to be done, ought to be done is to place it before the House to ascertain their sense, whoever is responsible for placing it before the House. Now when the situation at Anthicad which alone is the genesis and the basis of the promulgated Act no more exists even a brazen hearted administration will have the wisdom, ought to have the wisdom or otherwise wisdom will be pushed down into their heads to repeal that Act by another promulgation and drop this Bill which is a necessary consequence in a democratic line of the promulgation of the Act. That is the situation Sir and if ever it is admitted in reply to this observation of mine, true the Anthikad situation is not what it was in Edavam and Mithunam. It has definitely and admittedly improved. There are tendencies for the relapse into these conditions at Anthikad

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and other places. I submit how do you meet the situation at Anthicad ? By having recourse to the prerogative right. Those rights are still there in the Government of Cochin Act. Can you not resort to it if the situation arises hereafter even to-morrow. Why not have the wisdom, have the courage to say that to day we do not want it and accordingly this need not be considered. I expected that from the Ministry and I am sorry that it has not come. I feel perplexed that it has not come. I do not know how to react hereafter to that perplexing situation into which the Ministry of the day for want of wisdom respect the public opinion in the State as at present alluded to by me. That is a perplexing situation. I know, Sir, how to wriggle out of ugly situation More ugly more tantalising than this I have done, and I will continue to do. I know how to act now. Sir, with these observations regarding how the public opinion has taken to this measure it will be necessary Sir, as I feel it to just crave the indulgence of this House through you Sir, to take down some of the most important sections of the Bill which I believe the atmosphere of one section of the House is that this may be sent to the Select Committee and attempted to be improved. That is the usual slogan Sir when all pieces of legislation are brought before the House in foolishness.

Mr. President : Does the Hon'ble Member propose to go through the sections ? In view of the heavy Agenda that is before the House will the Hon'ble Member please economise his speech and make it as short as he could.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I shall try my level best and more than that to respond to your wish.

Mr. President: According to the Hon'ble Member he wanted only 50 minutes and even that is nearing.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I crave the indulgence of the House through the Hon'ble President to allow me to continue.

Mr. President: Even that is not necessary. You can continue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Well, that is the parliamentary way, Now, Sir, I want to read the few lines of the preamble.

"Whereas for the maintenance of public safety and to prevent and put down disorders involving menace to the peace and tranquility of the State, it is considered necessary to provide for the prohibition of certain associations and for the control of the printing, publications, etc., of certain prejudicial matters; It is hereby enacted as follows.—"Now let us have a passage from the statement of objects and reasons. I have already referred to "to meet effectively with the situation as it developed in Anthikad and with a view to maintain peace and order it became necessary to promulgate the Cochin Criminal Law Amendment Act. A blue book has been printed and circulated among the members by the Devaswam Commissioner who had been deputised to do this work, who formerly was the Information Officer of the State. I do not refer to its contents, its values, its over-statements, its under-statements and its incorrect statements. Of course they have been studied by persons who want to study. Now, Sir, this preamble is a sufficient indicator as all preambles are what the Bill is for and what the purpose is. Now to put down disorders involving menace to the peace and tranquility of the State—I have no quarrel in putting down the disorders involving the menace to the peace and tranquility of the State, I am not at all a revolutionary, Sir, I categorically state that I hate revolutions, but I respect and applaud the evolutions. After all the last stage of evolution is what will be achieved by revolution, that is after all a thin line of demarcation—but the method, the means to achieve the ends are different. And I am one who respects the dictum that not the end justifies the means but the means are intrinsically connected and inexplicably joined to the end to be achieved. They are not disconnected things; they are very very closely connected things. That being so, Sir, I will certainly say that whatever is necessary to put down disorders involving menace to the peace and to maintain public safety and whatever is necessary must be in the armoury of any Government. My contention, Sir, is that the Statute Books of Cochin contain necessary provisions if only brains are applied into the sections, relevant sections of the various enactments mainly the Penal Code, the Criminal Procedure Code, the Police Act which are all there and if only brains will be applied and a research conducted into various sections of these enactments and others which adorn the Statute Books of Cochin, means are there. Therefore, this, I submit, is a superfluity, an unwanted thing. Therefore it is, Sir, that I oppose it. Now from the Preamble to the Definition Section.

Unlawful association means that is in clause 2(2) sub-division (*a*), an association which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts. Will any sane man object to such association, that is the associations whose activities are those which I just read out. But there is yet something else which

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also passes for an unlawful association. That is here in clause 2(2) (*b*). Unlawful association means "which has been declared to be unlawful by the Government under the powers hereby conferred." And those powers are conferred under the immediately following clause, clause 3. "If Government are of opinion that any association interferes or has for its object interference with the administration of the law or with the maintenance of the law and order or that it constitutes a danger to the public peace, Government may by notification in the Cochin Government Gazette declare such association to be unlawfull." With all the consequences of being members of unlawful associations, subscribing funds to such unlawful associations being housed in certain premises, all the consequences which are under sections 4 to 10. They are the dire consequences which will follow from any associations being brought under sub-division (*a*) or (*b*) of sub-clause (2) of clause 2. Now, Sir, is there safety for any citizen in the State under clause 3 read with sub-division (*b*) of sub-clause (2) of clause 2. That is the Government have the power to declare associations unlawful. I have no quarrel that the Government have power. But if the Government are of opinion, I say, if the Government think, I would say if the Government fear that any association is unlawful, is it right is it proper, is it safe, to vest such unlimited, uncontrolled power in the hands of an executive, whether it is a popular executive or bureaucratic executive or any sort of executive, power created is a dictum which should be borne in mind by all. Power whether vested in popular Cabinet or any other forms of administrative bodies is a thing which corrupts and if corruption sets in it grows, it swallows as instances there are in plenty in Cochin. Now, Sir, my serious objection to these 2 clauses are that Government should not be invested with such powers. That is if the Government feel, if the Government of any time feels, whether the Cabinet of to-day or the Cabinet which may come hereafter or the Cabinet that preceded the present Cabinet or anybody for that matter, they can stifle anybody whom they feel is not the person who sings Halaluya to the activities of the Cabinet. It is enough if they in their wisdon or the want of it feel that chap A is not O.K.. Therefore Chap A must be claped. Human nature being what it is if A has the power to injure any person he will surely injure. That is the human nature. With our knowledge of human nature as above described is it safe to invest any Government which can only be constituted only by human beings with all their weaknesses; is it safe to invest any Government with power which has got such bad repurcussions, with very unhealthy reactions, no that shall not be. That is the section in these 22 sections which is objectionable, which is undemocratic, which is dangerous to invest Government of any day with. Now, Sir, I just had a cursory glance through sections 2 to 12.

Mr. President: The Hon'ble Member is making good progress.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am glad that it is noted. Another Chapter. In it comes the attack, the stifling, the murder, I wish to say the 4th estate which is the most useful institution in any civilised Government which is to be respected, which is to be honoured and any Government which stifles that writes its own judgment against it.

Mr. President: That is section 13.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* No, Sir, it is section 12. Its elder brother.

"Where any newspaper book or other document wherever made appears to Government to contain any words—look the difference—where are we with such powers vested with the Government—are we not heading for calamities—if any Government presided over whether by Rao Bahadur T. K. Nayar—he should have given up that title earlier—as my esteemed friend who threw it away for the progress of the county—although people say it is a stunt (Laughter)—I am not concerned whatever it is—it is so commented, Sir—whether presided over by that gentleman or my esteemed friend here or anybody else who may come here either in the immediate future or in a distant future or after the next election wherever be their to invest him with this power. In section 12 "It appears to Government to contain any words, signs or visible representations which" from (*a*) to (*i*) various things are described. If it appears to Government that any newspaper satisfies or rather comes or can be brought under or if it appears to Government.....

Mr. President: Why should you repeat it ?

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*) : It requires a hundred times' repetition, Sir. It is so objectionable a subject to have such words in enactments which a Government which has pretentions of a civilised Government should have thought hundred times.....

[**Mr. President:** Yes, that is very well impressed.]

Mr. P. Kumaran Ezhuthassan (*Vadakkancheri*) : Thank you, Sir. They are, if it appears, what can be done ? Government may, "may" in this context means "shall" because, if

it appears to Government, Government may enact very mildly, but the Government 'shall' we know there are Governments and Government may by notification in the Cochin Government Gazette as if it is a sanctity, as if it takes away the mischief and the harm, "declare every copy of the issue of the newspaper and every copy of such book or other document to be forfeited to Government." What is the purpose? Why should Government have it? The newspaper is not intended to be read by Government alone, it is intended to be read by the public at large. Books are intended to be read by the public at large for the education of the public and not for the edification of the Government. Now, Sir, section 13.

Mr. President: Sections 13 to 22?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* No, Sir, from sections 13 to 22 is a long distance, Sir, but I will stop at certain places. (Laughter).

Section 15 also is consequential. The passing away of the situation at Anthikad which was allowed to be developed into that by the bungling of the Ministry of those days. I repeat the word 'bungling' no, Sir, the callousness studied callousness in which the fate of poor workers whose food was taken away by the want of action at the propertime by the authorities of the day. Don't blame the Diwan, Sir. Don't blame the untransferred nature.

Section 15 which is not a section of the Proclamation Act, but a new section, I have noted here in the margin the whole of it.

"No newspaper, book or other document declared under section 12 to be forfeited shall be transmitted by Post or Anchal or in any other manner". Now the intelligentsia of the Cabinet brings in 5 words "or in any other manner" it cannot be transmitted by Post or Anchal, as if wisdom has dawned on them. They require to be congratulated for that although in the wrong line. I pity them. Now, Sir, comes the other sections which will be grouped 16, 17, 18 and 19 will got together. That is my 3rd chapter in the analysis already given by me. Now, Sir, light giving section is section 16. Let us have a look into that. "Government may, for the purpose of securing public safety, or the maintenance of public order, by order addressed to a printer,—'by order' this is substituted for 'by publication in the Cochin Government Gazette'—by order addressed to a printer, publisher, or editor to printers, publishers and editors generally" and then by that letter require that all matter, or any matter relating to a particular subject or class of subjects, shall before being published in any newspaper, book or other document, be submitted to an authority specified in the order. Then comes sub-clause (2) to be read along with sub-division (a) of clause 16 sub-clause (1). Now "where any matter has been required to be submitted to an authority before being published under clause (a) of sub-section (1), such authority may delete, destroy or remove any part thereof which such authority considers—not the editor—to be prejudicial 'considers' remember that word, considers to be prejudicial to the public safety or the maintenance of public order and the printer, publisher or editor, as the case may be, to whom the order has been addressed shall not publish such matter except with the permission in writing of such authority and in such form as may be approved by him. "It is pre-censorship of press-matter, Sir. Can any civilized Government, not a real civilised Government, any Government which even wrongly claim to be civilised, can any Government do it, Sir, this pre-censorhip. Then why should it be published if the Government or the authority mentioned therein says it cannot be published or if published all the consequences of a severe nature will accrue. I ask the question again to the pre-generators of this Bill and its successor who has accepted its illegitimate progeny—shall I say—I ask every one of them whether you could say in this 20th century, in this civilised Cochin, in this educated Cochin, in this law-abiding Cochin, in the Cochin which started on responsible Government 9 years back and progressed rapidly with the stagnation for 7 years (Laughter). But when the stagnation was removed, progressed rapidly and I am afraid, towards the end—I shall not say the word. In such a Cochin, Sir, to say that press-matter should be pre-cen-sured if it is necessary, one should be ashamed of. Hence it is that earlier I said that I pity the Cabinet of the day for not having dropped this piece of legislation which I have described. Now, Sir, I again pity the Cabinet of the day for not having dropped it, it is even now, not too late, Sir. The Hon'ble Member who is the Leader of the Opposition has stated that if Government wants this Bill to carry on the administration, their co-operation is with them. Should not we accept it, should not the Cabinet of the day accept it.

Mr. President: That will be a fitting conclusion to your speech.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I am leading on to the conclusion, Sir. (Laughter). Now section 17. I will be very assiduous in my attempts to respect your feelings, Sir. Now, I say it is not even too late to drop it. Not because it is their progeny,

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but because the Government of the day with whom the Leader of the Opposition has assured yesterday there will be responsive co-operation when that is wanted (there is that clause).. In the light of that assurance, could you not accept the same co-operation from the Opposition which after all is not the Opposition of earlier days, but a better Opposition, responsive Opposition, an Opposition which knows its business, an Opposition which can be described as an alternative Government. They have the responsibility to go in there and function as Government of the subsequent days, that is the roll which I attribute, which I always attributed to the Opposition—I am glad that there is such an Opposition today. And therefore, Sir, such an Opposition, the Leader of which Opposition has given the assurance of their co-operation for this measure if you only say that you want their co-operation.

Mr. President: I think that point has been properly laboured into your speech,

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I think otherwise, Sir. (Laughter). I am sorry I have to say that.

We can expect from that Opposition led by my esteemed friend Mr. Govinda Menon....

Mr. President: Well, that point is not quite relevant to the point at issue. The Hon'ble Member can go on reviewing from sections of the Bill. Why not go into that track, instead of being drawn out of it on the Opposition and all that.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Yes, Sir, I am glad that the Chair intervened because I got a little respite. (Laughter). Now, Sir, I was submitting that if in altered situation at Anthikad or in other places which necessitated or which has the active semblance of necessity of a promulgation Act—a murmur for that purpose will do—No, Sir, they know their place, they know their responsibility which has been assured yesterday. Now in that context, Sir, I tell you, I respectfully inform you that is not even now too late to do the necessary things.

Mr. President: These repetitions agreeing too far. I would draw the attention of the Hon'ble Member that I will be compelled to invoke Rule 33 if he persists in such repetitions. Yes, the Hon'ble Member may continue.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Now, Sir, I am not to be sorry, Sir, if resort is to be had to that article in that book referred to by you. You are always at liberty to do it and I am always at your service. The moment I am asked to sit down, I will sit down (Laughter). I have only to say one or two words which will serve my purpose.

In that context please be wise at least now to drop this measure and save the situation that cou may not see now but you may see and I regret the Public of Cochin will have to see, in yorners which I do not mention—without mention it is understood—you are going to see it before long. Don't think that I am enigmatic. It is never too late to do good. That is the dictum. Try to react in the context as described above. Please be wise, please be bold, take courage into your hands and do the needful. That is what I exhort you to do. I hope, optimistic as I am, that you will do it. Now I may be permitted to give reference to the pronouncements of very eminent authorities, jurists, statesmen and public is to on some of the provisions of similar Acts elsewhere. Now, Sir, with regard to that section—I will just finish the remaining sections—Now you take you on to section 20. That is the monster.

"The provisions of this Act shall be in addition to and not in derogation of any other enactment for the time being in force".

What is this, Sir, where are we. For a single offence a double punishment. Even a barbarous Government cannot think of it. What! I have committed an offence or you think I have committed an offence you must at least have the wisdom and the charity even to meet me only with one punishment not with two. Here it is said "The provisions of this Act shall be in addition to and not in derogation of any other enactment for the time being in force".

Mr. M. Sivarama Menon *(Constitutional Adviser)*: There is a General Clauses Act to the effect that a person cannot be punished twice for one act or offence.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: Even in the presence of the General Clauses Act why should you have this dirty section here which is capable of the interpretation that I have attempted to put. At least remove that section because you have got your General Clauses Act that for the same offence the offender cannot be punished twice.

Mr. M. Sivarama Menon *(Constitutional Adviser)*: Only on a question of law....

Mr. President: The Hon'ble Member can give it in the reply by Government.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: A helpful attempt made is stifled, Sir, but I am not concerned. That is a very bad section. Of course it is a safety. Whatever I have got, I am of course in the habit of saying. Now Section 21 "Notwithstanding anything contained

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[Mr. P. Kumaran Ezhuthassan]

in the Code of Criminal Procedure, 11 of 1086, no Court inferior to that of a Magistrate of the first class shall try any offence under this Act".

If one is considered—not if one has offended—but if one is considered by the Government or the authorities to have offended any one of the provisions of this Act before visiting the penalty mentioned there, whether too much or too little—before doing that you will have the indulgence and the great privilege of being tried by a first class Magistrate who necessarily because of the numerical figure must be considered to be a much better authority than a 2nd class Magistrate. That is what I find to be something—not very bad. You get the privilege of being tried by the first class Magistrate of the day. I do not wish to make any comments upon the first class Magistrates. They are something like butterflies, Sir. In the morning sessions they try nuisance cases of 2nd class Magistrate. Like a butterfly they change colours and in the evening they try cases of the first class Magistrate.

Mr. P. Sankara Menon *(Trichur-North):* On a point of order, Sir, that is a very unpleasant reflection.

Mr. President: It is not meant to cast any personal reflection. The Hon'ble Member alludes to the evolution from 2nd class to 1st class. It is not meant for any personal reflection.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* That question is a misfit. My theory of evolution applied in this context will be more glaring. I will put it in my way. That point is enough. Now that is the great indulgence. Now comes at the last section.

Mr. President: Are we at the end of our journey? (laughter).

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* We are at the end of the omnibus section in this printed piece of paper. I do not call it a Bill.

Mr. President: To-day you have taken more than 1 hour and 5 minutes.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Till I am checked by the Chair, it is my privilege.

"The Cochin Criminal Law Amendment Act, XVIII of 1122 is hereby repealed". Necessarily it must be repealed. Because something more rigorous than that is inserted. That is the stifling section 16. It was not there under the Proclamation Act. It is a new Section. So when something more rigorous than the Proclamation Act which was found necessary in the context of the day namely 20th Edavam 1122 is allowed to come in the Statute Book, will anybody grudge the repeal of it. But it is not still a repeal. Because there is a saving Clause. A very glaring mischief has been done under the guise of this Section of that Proclamation Act.

We are at the end of the Section. Now one or two observations not more. Now I said that the most objectionable Section is section 3.—not there are other objectionable sections. If the Government are of opinion.....Now, Sir, what is the real position that comes out of it? Who decides that an association is unlawful—the Executive Government. Is the executive the competent body to pronounce an opinion of what association is an unlawful one and what is not. That is the very last authority into which power should be given to pronounce opinions on such things. Here is the observation of an eminent jurist. "This decision is to be taken that an association is an unlawful association with all the consequences of such declaration by any Executive in its own needed discretion lending you into". That is the very last authrity into which special power should be given and when that clause is there, there must be a very clever legislature indeed who will give it a consent to this measure and in that context I would say even in the Cabinet of to-day if it is prepared or wise enough to say that they don't want it, I exhort the Leader of the Opposition and his group, not only of his 12 followers but the others also not to lend their support if the Government of the day say that they want to do a stupid thing. Are you here, Sir, with all your responsibilities to lend your support to such a stupid thing.

Mr. President: Please continue the train of your argument.

Mr. P. Kumaran Ezhuhassan *(Vadakkancheri):* Let them stand by themselves. Let Cochin know that the Cabinet of the day is responsible for this Rowlet Black Cat of Cochin, which after the physical burial at the sacred steps of this House is still allowed to go on. What a position and what a plight that we are in. Please do not do it, Sir—no I appeal to you, Sir. Don't let those who want to do stupid things, unwise things, unwanted things, undemocratice things. Let not you, the followers of the great national institution, be the supporters of such a Cabinet. Responsive co-operation does not mean that. This will be mostly irresponsive co-operation. Please don't blunder into that. That is an exhortation that I make to you, Sir.

Anyhow since there is a feeling that I have taken too much time and I shall be glad to hear the observations of some other members at least during the next 15 minutes, I will conclude by

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aying that this illegitimate child of yours, this tantalising legacy given unto you by your predecessor cabinet have the boldness and the wisdom to drop it. You will not be charged with murder. You will not be brought before a Court of law, for the maintenance of your child. No, its fathers will feed it. Therefore, Sir, I make an appeal to my esteemed friend, the Leader of the House, the Premier of the day to drop it, to give it up and show yourself in the times in which I want my esteemed friends to be seen by the Public of Cochin who having demonstrated and demanding, Sir, that a Cabinet without Rao Bahadur, that is the cry that I heard suggested to the present Cabinet by me, Sir, 5 weeks ago. Wisdom there was not in that corner to react to it. Sorry, or in a sense glad.

Mr. President: Will the Hon'ble Member please wind up?

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* I will do it, Sir, atonce. With this exhortation extended to one of my oldest friend and with the same exhortation described as above extended to the Leader of the Opposition for responsive co-operation and not a stupid help, I will sit down by once more exhorting, let not this unwanted legislation go into the Statute Book of Cochin, let the fair name of Cochin be respected, at any rate let it not be sullied by your hands, that is the appeal that I have to make.

മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ: സർ, ഗവൺമെന്റു കൊണ്ടുവരുന്ന ഒരു ബില്ലിനെ എതിർപ്പിനുവേണ്ടി എതിർക്കുക എന്ന നയം ഉദ്ധമായി ഉപേക്ഷിച്ചുകഴിഞ്ഞിരിക്കുന്ന ഞാൻ ഈ ബില്ലിനെ എതിർക്കാനല്ല ഈയവസരത്തിൽ ഉദ്ദേശിക്കുന്നതു്. ബില്ലിനെ ഞങ്ങളുടെ പിന്തുണയ്ക്കുകയുമല്ല. ഈയവസരത്തിൽ ഈ ബില്ലിന്റെ ചരിത്രത്തെക്കുറിച്ചു് സ്വല്പം പറഞ്ഞാൽകൊള്ളാമെന്നുണ്ടു്. ൧൯൫൬ ജൂലൈമാസത്തിൽ അങ്കിക്കാട്ടു് അപ്രതീക്ഷിതമായ ചില സംഭവവികാസങ്ങളുണ്ടായി. അതിനെ നേരിടാൻ ഇത്തരത്തിലുള്ള ഒരു പ്രോക്ലമേഷന്റെ ആവശ്യമുണ്ടായിരുന്നൊ ഇല്ലയൊ എന്ന കാര്യത്തെക്കുറിച്ചു് അഭിപ്രായവ്യത്യാസമുണ്ടാകാം. എന്നാൽ അന്നു ഭരണം നടത്തിയിരുന്ന ബഹുഭൂരിപക്ഷമായ മന്ത്രിമാർക്കു് ഇങ്ങനത്തിൽ ഒരു നിയമത്തിന്റെ സഹായം വേണമെന്നു തോന്നി. അതിനാൽ മഹാരാജാവു തിരുമനസ്സിലെ പ്രത്യേകാധികാരം ഉപയോഗിച്ചു് ആ നിയമം നടപ്പാക്കി. അതിനുശേഷം ആ നിയമം ഒരു ബില്ലാക്കി കഴിഞ്ഞ ബഡ്ജറ്റു് സമ്മേളനത്തിൽ അവതരിപ്പിച്ചു. അങ്ങിനെ ഒരു ബിൽരൂപത്തിൽ അവതരിപ്പിച്ചതിനെക്കുറിച്ചു പല തെറ്റിദ്ധാരണകളും പലരുടെ ഇടയിലുമുണ്ടായിട്ടുണ്ടു്. ബ്രിട്ടീഷിന്ത്യയിൽ വൈസ്രോയി പ്രത്യേകാധികാരമുപയോഗിച്ചു പുറപ്പെടുവിക്കുന്ന ഓർഡിനൻസിനു ൬ മാസത്തെ ജീവനേയുള്ളു. അതുപോലെ കൊച്ചി മഹാരാജാവു തിരുമനസ്സിൽ നിന്നു തുല്യംചാർത്തി പുറപ്പെടുവിക്കുന്ന പ്രോക്ലമേഷനും ൬ മാസത്തെ അവധിയെ ഉള്ളുവെന്നും അതിനുശേഷം നിയമസഭയുടെ സമ്മതിയില്ലെങ്കിൽ കൊച്ചിയിലെ നിയമപുസ്തകത്തിൽ അതിനു സ്ഥാനമില്ലെന്നും അതുകൊണ്ടാണു് ഇതു് ഒരു ബിൽരൂപത്തിൽ നിയമസഭയിൽ കൊണ്ടുവന്നതെന്നും മറ്റും പല അഭിപ്രായങ്ങളും പല തെറ്റിദ്ധാരണകളും ഉണ്ടായിട്ടുണ്ടു്. കർക്കടകമാസത്തിൽ ബഡ്ജറ്റുസമ്മേളനത്തിൽ ആ ബിൽ അവതരിപ്പിച്ചതു് ആ ഉദ്ദേശത്തോടുകൂടിയല്ല.

മിസ്റ്റർ കെ. ബാലകൃഷ്ണമേനോൻ: On a point of information. മഹാരാജാവു തിരുമനസ്സിൽനിന്നു തുല്യംചാർത്തി പുറപ്പെടുവിക്കുന്ന പ്രോക്ലമേഷനു ൬ മാസത്തെ വിലയേയുള്ളൊ?

മിസ്റ്റർ പി. ഗോവിന്ദമേനോൻ: അല്ലെന്നാണു ഞാനിതുവരെ പറഞ്ഞതു്. ബഹുമാനപ്പെട്ട പല മെമ്പറന്മാർക്കുപോലും ഇത്തരം സംശയമുണ്ടായിട്ടുണ്ടു്. ൬ മാസത്തേക്കെന്നല്ല എത്രകാലത്തേയ്ക്കും അതിനു സ്ഥാനമുണ്ടായിരിക്കും. പിന്നെ എന്തിനാണു് ഈ നിയമം ബിൽരൂപത്തിൽ കൊണ്ടുവന്നതെന്നു ചോദിച്ചാൽ പ്രത്യേകാധികാരമുപയോഗിച്ചു നിയമമുണ്ടാക്കുന്നതു കഴിയുന്നതും ഒഴിക്കണമെന്നുദ്ദേശിച്ചാണു്. ഇപ്പോൾ ഇന്ത്യൻയൂണിയൻ കോൺസ്റ്റിറ്റ്യൂഷനു എന്തെങ്കിലും സന്ദർഭം വരുമ്പോൾ പ്രത്യേകാധികാരമുപയോഗിച്ചു് ഇത്തരം നിയമങ്ങളുണ്ടാക്കുന്നുണ്ടു്. പക്ഷെ അതു് അടുത്ത അസംബ്ലി സമ്മേളനത്തിൽ അവതരിപ്പിക്കണം. അതുപോലെ കൊച്ചിക്കവേണ്ടിയുണ്ടാക്കീട്ടുള്ള കോൺസ്റ്റിറ്റ്യൂഷനിലും ഇത്തരം ഒരു പ്രോവിഷനുണ്ടു്. അതനുസരിച്ചു് ഈ നിയമത്തെപ്പറ്റിയുള്ള ഈ സഭയുടെ അഭിപ്രായം അറിയാനായി, അവരുടെ അഭിപ്രായപ്രകാരം വല്ല ഭേദഗതിയും വരുത്തേണ്ടതുണ്ടെങ്കിൽ അതിനുവേണ്ടി തികഞ്ഞ ഉദ്ദേശശുദ്ധിയോടുകൂടിയാണു് ഇതു് ഇവിടെ അവതരിപ്പിച്ചതു്. അങ്ങിനെ ഇതു

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[Mr. P. Govinda Menon]

ഇവിടെ കൊണ്ടുവന്നതിനെപ്പറ്റിയും ഇതിനെസംബന്ധിച്ചുള്ള പ്രജാമണ്ഡലത്തിന്റെ അഭിപ്രായത്തെപ്പറ്റിയും മറ്റും പല തെറ്റിദ്ധാരണകളും ഉണ്ടായിട്ടുണ്ട്. ഈ ബിൽ നിയമമാക്കണമെന്നു പ്രജാമണ്ഡലം പാർട്ടി മാണ്ടേറ്റുകൊടുത്തുവെന്നും പറയുന്നുണ്ട്. എന്നാൽ പ്രജാമണ്ഡലത്തിന്റെ ഉദ്ദേശമങ്ങിനെയല്ല, ഇങ്ങിനെ ഒരു കരടുനിയമമുണ്ട്. അതനുസരിച്ചുള്ള അധികാരം ഗവമ്മെണ്ടിനു കൊടുക്കണമെങ്കിൽ, അതിൽ ആവശ്യമായി വന്നേക്കാവുന്ന ഭേദഗതികൾക്കുവേണ്ടി ബിൽ ഒരു സെലക്ട് കമ്മിറ്റിക്കു കൊടുക്കണമെന്നതായിരുന്നു. ഇത്തരത്തിലുള്ള ഒരു നില അധികാരത്തിലിരിക്കുന്നവർക്കു ചിലപ്പോൾ അവലംബിക്കേണ്ടിവരുമെന്നാണ് എന്റെ വിശ്വാസം. ഈ തരത്തിലുള്ള ഒരു ബില്ലിന്റെ ആവശ്യം ഏതു ഗവമ്മെണ്ടിനും ആവശ്യമായി വരാവുന്നതാണ്. അടുത്തു ഡൽഹിയിൽവെച്ചു കൂടിയ ഇന്ത്യൻ ഡൊമിനിയൻ അസംബ്ലിയിൽ പോകാനിടവന്ന എനിക്കു സർദാർ വല്ലഭായിപട്ടേൽ ഇത്തരം ഒരു ബിൽ അവതരിപ്പിച്ച് അവിടെ പാസ്സാക്കിയതിൽ പങ്കെടുക്കാൻ എനിക്കിടവന്നിട്ടുണ്ട്. അതിന്റെ ഒരു തനി പകർപ്പാണ് ഈ ബിൽ. അതുകൊണ്ട് ഒരു ഗവമ്മെണ്ടു ജനകീയമായാൽകൂടി ഈ വിധത്തിലുള്ള അധികാരങ്ങൾ ചില പ്രത്യേകസന്ദർഭങ്ങളിൽ വേണമെന്നു വിചാരിക്കുകയാണെങ്കിൽ അതിൽ വലിയ അക്രമമുണ്ടെന്നു എനിക്കു തോന്നുന്നില്ല. എന്നാൽ ആ ബില്ലിനുവേണ്ട പരിരക്ഷകൾ വരുത്തുകയുംവേണം. ഇന്നു ഞങ്ങൾ ഈ ബില്ലിൽ എടുക്കാൻ പോകുന്ന നിലയെസംബന്ധിച്ചു വിശദീകരിക്കേണ്ടതുണ്ട്. ഞാൻ പൊതുകാര്യങ്ങളിൽ കാപട്യം അശേഷം ഇഷ്ടപ്പെടുന്നില്ല. ഇത്തരത്തിൽ ഒരു ബിൽ ഇന്നത്തെ മന്ത്രിസഭയ്ക്കു് ആവശ്യമുണ്ടോ ഇല്ലയോ എന്നു് എനിക്കറിയണം. വേണമെന്നുണ്ടെങ്കിൽ അതു തുറന്നുപറയണം. അല്ലാതെ, ബിൽ വേണംതാനും അതിന്റെ ഉത്തരവാദിത്വം എടുക്കാൻ ഒരുക്കവുമില്ല എന്നനിലയെ ഞാൻ തീർച്ചയായും എതിർക്കും. ഞാൻ മന്ത്രിയായിരുന്നപ്പോൾ അന്നത്തെ ഗവമ്മെണ്ടിനു പലതരത്തിൽ പരാജയം ഉണ്ടായിരുന്നിരിക്കാം. അന്നത്തെ ക്യാബിനറിനു് ഇത്തരത്തിൽ ഒരു ബിൽ വേണമെന്നു അന്നത്തെ നാട്ടിലെ നിലകൊണ്ടും, അന്നത്തെ സാഹചര്യങ്ങൾകൊണ്ടും അന്നത്തെ പരിതഃസ്ഥിതികൊണ്ടും തോന്നിയിരിക്കും. അന്നത്തെ പരിതഃസ്ഥിതിയിയെ നേരിടാൻ ഇത്തരത്തിലുള്ള ഒരു ബില്ലിന്റെ സഹായം വേണമെന്നു് അന്നത്തെ ദുർബ്ബലന്മാരായ മന്ത്രിമാക്കു തോന്നിയിരിക്കാം. എന്നാൽ ഇന്നത്തെ നില എന്താണെന്നു് അറിഞ്ഞുകൂടാ. ഇന്നത്തെ നിലയ്ക്കു ഇത്തരത്തിലുള്ള ഒരു് നിയമം ആവശ്യമുണ്ടോ എന്നു് അറിഞ്ഞുകൂടാ. ബലഹീനങ്ങളായ ഹസ്തങ്ങളിൽ നിന്നു കരുത്തേറിയഹസ്തങ്ങളിലേയ്ക്കു അധികാരം പകർന്നിരിക്കുന്ന ഒരവസരത്തിൽ ഈ നിയമത്തിന്റെ ആവശ്യമുണ്ടോ എന്നറിയണം. അതു വേണമെന്നു പറയാതെ എന്തിനു ഞാൻ ഈ അധികാരം അവരുടെ കൈകളിലേയ്ക്കു കൊടുക്കണം. ഇത്തരത്തിൽ ഒരു ക്രിമിനൽ ലാ ഭേദഗതി നിയമം അന്നു കൊണ്ടുവന്നതു് അന്നത്തെ മന്ത്രിമാരുടെ ബലഹീനതകൊണ്ടായിരുന്നു. ഇത്തരത്തിലുള്ള നിയമം ക്രൂരതതന്നെ ഭരണം നടത്താൻ സാധിച്ചിരുന്നെങ്കിൽ അതായിരുന്നു നല്ലതു്. അന്നു പല വിഷമങ്ങളുമുണ്ടായിരുന്നു. തൊഴിൽകുഴപ്പങ്ങളുണ്ടായിരുന്നു. ക്ഷേണക്ഷാമമുണ്ടായിരുന്നു. എന്നാൽ അന്നത്തെ ദുർബ്ബലന്മാരായ, ബുദ്ധിഹീനന്മാരായ, അവഹേളിതരായ, അശക്തന്മാരായ ആളുകളിൽനിന്നു ശക്തന്മാരായ ആളുകൾ ഭരണമേറ്റെടുത്തു് അധികാരത്തിൽ വന്നിരിക്കുന്ന ഒരവസരത്തിൽ ഇതൊന്നും കൂടാതെതന്നെ ഭരണം നടത്താൻ കഴിയുന്ന അവർക്കു് ഈ ബിൽ വേണോ എന്നതറിഞ്ഞതിനുശേഷം വേണം ഞങ്ങളുടെ പാർട്ടിയുടെ നില വിശദീകരിക്കാൻ. വേണമെന്നുണ്ടെങ്കിൽ അതു പറയണം. അല്ലാതെ കപടതന്ത്രമെടുത്താൽ പറ്റുകയില്ല. ഗവമ്മെണ്ടിനു് ഈ നിയമം വേണമൊ എന്നറിഞ്ഞുകൂടാ. അതറിയണം. ഞങ്ങൾ ഒന്നും അറിഞ്ഞില്ല എന്ന നിലയിൽ ഈ നിയമംകിട്ടി അതിന്റെ ഗുണം ഉപയോഗിക്കാമെന്നാണെങ്കിൽ അതു സമ്മതിക്കുകയില്ല. അതിനാൽ നിങ്ങളുടെ അഭിപ്രായം അറിഞ്ഞതിനു ശേഷം മാത്രമേ ഈ ബില്ലിനെപറ്റിയുള്ള ഞങ്ങളുടെ നിലവ്യക്തമാക്കുകയുള്ളൂ.

Mr. President: Any other Hon'ble Member wish to speak? There are three miuntes more.

* മിസ്റ്റർ പി. നാരായണമേനോൻ: സർ, ഞാൻ ഈ ബില്ലിനെ അനുകൂലിക്കുന്നു. രണ്ടു ദീർഘമായ പ്രസംഗങ്ങൾ കഴിഞ്ഞിരിക്കുന്ന ഈ ഘട്ടത്തിൽ ഇതിനെക്കുറിച്ചു് ഇനിയും കൂടുതൽ പ്രസംഗിക്കേണ്ട ആവശ്യമുണ്ടെന്നു ബോദ്ധ്യത്തോടുകൂടിയല്ല ഞാൻ രണ്ടു വാക്കുപറ

* Speech not corrected by the Hon'ble Member.

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യാൻ ഉദ്ദേശിക്കുന്നതു". ഈ ബില്ലിനെസംബന്ധിച്ചു തീരുമാനിക്കാനുള്ളതു് ഒരു കാര്യം മാത്രമാണു". തല്ക്കാലത്തെ ആവശ്യത്തിനു വേണ്ടി ഒരു ടെമ്പററിഷെഡ്" ഉണ്ടാക്കി. ആ ആവശ്യം ഇനിയും ആവത്തിക്കുമെന്നറിയാം. അപ്പോഴെല്ലാം ഈ ടെമ്പററിഷെഡ്" ഉണ്ടാക്കുകയൊ അതൊ ആ ആവശ്യം ഇങ്ങിനെ ആവത്തിച്ചുകൊണ്ടിരിക്കുന്ന അവസരത്തിൽ സ്ഥിരമായ ഒരു കെട്ടിടം ഉണ്ടാക്കയൊ ഏതാണുവേണ്ടതു് എന്ന ആ ഒരു നിലപോലെയാണു ഇപ്പോൾ ഈ ബില്ലിനെക്കുറിച്ചു പറയാനുള്ളതു്. ആവശ്യം ആവത്തിക്കുമെന്നുണ്ടെങ്കിൽ, എതു ഘട്ടത്തിലും ആവത്തിക്കാമെന്നുണ്ടെങ്കിൽ അപ്പോഴെല്ലാം ടെമ്പററിഷെഡ്" ആണൊ ഉണ്ടാക്കേണ്ടതു"; അതൊ അതിനു പകരം സ്ഥിരമായ ഒരു കെട്ടിടം ഉണ്ടാക്കുകയാണൊ നല്ലതു". ഈ പ്രൊക്ലമേഷൻ ഒരു ടെമ്പററിഷെഡ്" പോലെയാണു". പ്രൊക്ലമേഷൻ ആവശ്യമില്ലായിരുന്നെങ്കിൽ—കഴിഞ്ഞ എടവത്തിലാണെന്നു തോന്നുന്നു—ഈ പ്രൊക്ലമേഷൻ ഇവിടെ നടപ്പിൽ വരികയില്ലായിരുന്നു. ഈ പ്രൊക്ലമേഷൻ ഇവിടെനടപ്പിൽ വന്നതുകൊണ്ടു് അന്നത്തെ ക്യാബിനറിനു് അതാവശ്യമായിരുന്നുവെന്നു വ്യക്തമാകുന്നു. അന്നത്തെ ക്യാബിനറു സമ്മതിക്കുന്നുണ്ടു് അതു അടിക്കടി വേണ്ടിവരുമെന്നു". ആ നിലയിൽ അന്നത്തെ ഗവമ്മെണ്ടിൽനിന്നു് അതിനു സ്ഥിരമായ ഒരു കെട്ടിടം അതായതു പ്രൊക്ലമേഷനിൽ പറയുന്ന തതുപം സ്റ്റാറ്റൂട്ടറി ബുക്കിൽ സ്ഥിരമായി പ്രതിഷ്ഠിച്ചുവെന്ന നിലയിലാണു" ഈ ബിൽ കൊണ്ടുവന്നതു".

4. ADJOURNMENT MOTION

("The serious food situation in the country.")

മിസ്റ്റർ പി. കെ. ഡീവർ: *Mr. President, Sir. under Rule 21 of the Legislative, Council Rules I move that the business of the House be adjourned to discuss a definite matter of urgent public importance to wit the serious food situation in the Country."*

സർ, ഈ അടിയന്തിര പ്രമേയം ഞാൻ ഇവിടെ അവതരിപ്പിക്കുന്നതു് ഇന്നത്തെ ഗവമ്മെണ്ടിന്റെ അശക്തതയെപ്പററി പ്രതിപാദിക്കുന്നതിനോ, ഇന്നു നാട്ടിൽ ഉളവായിരിക്കുന്ന ഭക്ഷണസ്ഥിതിയെക്കുറിച്ചു" ഇന്നത്തെ ഗവമ്മെണ്ടിനെ കുറപ്പെടുത്താനോ അല്ല എന്നു" ആദ്യമായി പറഞ്ഞുകൊള്ളട്ടെ. ഇന്നു കപ്പൽ വരാത്തതുകൊണ്ടു നമ്മുടെ റേഷൻ ൩ ഔൺസിൽനിന്നു" ൫ ഔൺസാക്കി കുറയ്ക്കേണ്ടിവന്നു. എങ്കിലും ഈ ൫ ഔൺസുതന്നെ എത്രകാലം തുടർന്നുകൊണ്ടുപോകാൻ സാധിക്കുമെന്നു ആശങ്ക പ്രകടിപ്പിക്കുന്നുണ്ടെങ്കിലും ഇങ്ങിനെ കപ്പൽ കാത്തുകാത്തു എത്രനാൾ നിങ്ങൾ ഇരിയ്ക്കാൻപോകുന്നു; നിങ്ങളുടെ ബുദ്ധിശൂന്യതകൊണ്ടല്ലേ ഇങ്ങിനെ കപ്പൽ കാത്തു" ഇരിയ്ക്കേണ്ടിവന്നതു"; കപ്പൽ വന്നില്ലെങ്കിൽ നിങ്ങൾ എന്തു ചെയ്യാൻ പോകുന്നു; എന്നു ചോദിച്ചുകൊണ്ടു ഇന്നത്തെ ഗവമ്മെണ്ടിനെ അപലപിക്കുവാനല്ല ഞാൻ ഈ പ്രമേയം ഇവിടെ അവതരിപ്പിച്ചിട്ടുള്ളതു". സർ, ഇന്നു നാട്ടിൽ നടമാടിക്കൊണ്ടിരിക്കുന്ന ഭക്ഷണദാരിദ്ര്യം, ഇന്നത്തെ ഗവമ്മെണ്ടിന്റെ കൊള്ളരുതായ്മകൊണ്ടുണ്ടായതാണു" എന്നു" പറഞ്ഞു. ഇന്നു" അധികാരത്തിൽ ഇരിക്കുന്ന എന്റെ മാന്യസ്നേഹിതന്മാരായ റാവുബഹദൂർ ടി. കെ. നായരും, ശ്രീമാൻ പറമ്പിലോനപ്പനും, ശ്രീമാൻ ബാലകൃഷ്ണമേനവനും, കൊള്ളരുതാത്തവരാണു"; നിങ്ങൾക്കു കെല്പില്ലാ: തന്റേടമില്ല; നാട്ടിൽ ഉളവായിട്ടുള്ള ദുഃസ്ഥിതിയെ നേരിടാൻ കഴിവില്ല എങ്കിൽ അവിടെനിന്നും ഇറങ്ങിപ്പോകുക. ശമ്പളമില്ലാതെ വേണമെങ്കിൽ ഞങ്ങൾ അവിടെ ഇരുന്നുകൊണ്ടു" ഈ കാര്യങ്ങൾ ഒരു രണ്ടു മാസംകൊണ്ടു നടത്തി എല്ലാം നേരെയാക്കിതരാം എന്നു. അവരെ അപമാനിക്കുന്നതിനുവേണ്ടിയുമല്ല ഇവിടെ അവതരിപ്പിച്ചതു" എന്നു വ്യക്തമാക്കികൊള്ളട്ടെ. ഇതു" ഇന്നു" ഇന്ത്യൻ യൂണിയന്റെ ഭരണസാരഥ്യം വഹിക്കുന്ന നമ്മുടെ ദേശീയ നേതാക്കന്മാരായ രാജൻ ബാബുവിനേയും, പണ്ഡിതനെഹ്രുവിനേയും സമീപിച്ചു വേണ്ടവിധത്തിൽ നിവേദനം നടത്തിയാൽ നമുക്കുവേണ്ടിടത്തോളം അരികിട്ടുന്നതിനുള്ള ഒരു പരിതസ്ഥിതിയുണ്ടായിരുന്നില്ലേ? അങ്ങിനെ ചെയ്യാത്തതുകൊണ്ടല്ലേ ഇന്നു രാജ്യത്തു നാം കാണുന്നവിധത്തിലുള്ള ൫ ഔൺസു" അരിറേഷൻ കൊണ്ടു കഴിഞ്ഞുകൂടുവാനുള്ള ഒരു പരിതസ്ഥിതിയുണ്ടായതു എന്നുള്ള ബുദ്ധിശൂന്യമായ ജല്പനങ്ങളം പറപ്പെടുവിക്കാനുമല്ല സർ, ഞാൻ ഈപ്രമേയം കൊണ്ടുവന്നിട്ടുള്ളതു". ഭക്ഷണകാര്യത്തിൽ ഈ നാട്ടിന്റെ പരിതാപകരമായ നിലയെ മനസ്സിലാക്കുവാനും എനിക്കു കഴിഞ്ഞിട്ടുണ്ടു". ഈ വിഷയത്തിൽ ഗവമ്മെണ്ടിന്റെ നിസ്സഹായസ്ഥിതിയെ മനസ്സിലാക്കുവാൻ എനിക്കു കഴിഞ്ഞിട്ടുണ്ടു". ഉത്തരവാദബോധത്തോടുകൂടി ഈ രാജ്യം ഭരിച്ചിരുന്ന ഗവമ്മെണ്ടു" ഈ നിയമസഭവഴി

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